IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 6867 of 1998

Between:

The Sr. Manager (Operation)
APSRTC, Tirupati, Chittoor District

..... PETITIONER

AND

1 State Transport Appellate Tribunal, AP., Hyderabad, rep. by its Presiding Officer
2 The Regional Transport Authority, Chittoor, rep. by its Secretary
3 R.Srinivasulu Reddy S/o Ramaswamy Reddy
Door No.20-257, Ragimanu Street, Miltoor, Chittoor

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, especially in the nature of a Writ of Certiorari, calling for the records relating to the impugned order dt. 27/10/1997 made in A.P.No.65/96, State Transport Appellate Tribunal, AP., Hyderabad setting aside the order dt. 28/11/1995 in item No.37 in Rc.No.29336/A1/1992 of the Regional Transport Authority, Chittoor and directing issue of permit to 3rd respondent on the town service route, Chittoor (M.S.R.Lodge) to Mapakshi, and quash the same as being hit by the provisions of Sec.104, M.V.Act. 1988

Counsel for the Petitioner: MR.K.HARINATH

Counsel for the Respondents: MR.V.NARASIMHA REDDY

The Court made the following ORDER:

ORDER:-

Heard both the learned counsel. This writ petition is filed aggrieved by the order of the State Transport Appellate Tribunal, A.P., Hyderabad setting aside the order of the Regional Transport Authority, Chittoor directing issue of permit to third respondent on the route Puttor to Samudayam.

Case of the petitioner is that third respondent made an application to second respondent for grant of a pucca stage carriage permit on the so-called town service route and the second respondent rejected the said application. Against the said order, third respondent preferred appeal before first respondent, which was allowed. Further, the case of the petitioner is that the proposed route overlaps the notified route which is approved in G.O.Ms.No.1175 dated 7-12-1976.

Having considered the submissions made on either side and on perusal of the material on record and in view of the principles laid down by a Full Bench of this Court in **A.P.S.R.T.C. v. State Transport Appellate Tribunal and others ,** such plea is not permissible. According, this writ petition is dismissed. No costs.

Stv/- 3—11—2004.

To

1. The Presiding Officer, State Transport Appellate Tribunal, AP., Hyderabad,

2. The Secretary, Regional Transport Authority, Chittoor,

3. Two CD Copies